

JAN 23 2004

001/004

**OFFICIAL**100725-14 / Kreisler 1094-KGB  
010293US/JH/ml**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Gerd HOBOM et al.  
SERIAL NO. : 10/073,377  
FILED : February 8, 2002  
FOR : Influenza Viruses with Enhanced Transcriptional and  
Replicational Capacities  
ART UNIT : 1648  
EXAMINER : B. Q. LI

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January 23, 2004

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT****SIR:**

In response to the Office Action dated September 24, 2003, Applicants hereby elect with traverse to prosecute the invention of Group I, comprising claims 1-11 and 30; SEQ ID NO: 45 for the protein, which is erroneously stated in the Office Action as RNA; SEQ ID NO: 46 for the DNA; SEQ ID NO: 5 for the 3'-terminal sequence.

Remarks begin at page 3 of this paper.